

Message Text

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15

ACTION ACDA-10

INFO OCT-01 ISO-00 NRC-05 AF-06 ARA-06 CIAE-00 DODE-00

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DISTO

E.O. 11652: NA

TAGS: PARM CCD EG IT YO

SUBJ: CCD-701ST PLENARY MEETING, APRIL 8, 1976

SUMMARY: ITALIAN, EGYPTIAN AND YUGOSLAV STATEMENTS ALL DEALT
EXCLUSIVELY WITH DRAFT ENVIRONMENTAL MODIFICATION (ENMOD) TREATY.
WHILE STATEMENS SUPPORTED NEGOTIATION OF SUCY A TREATY, EACH
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CONTAINED ENDORSEMENTS OF PREVIOUS PROPOSALS FOR CHANGES IN

CERTAIN ELEMENTS OF DRAFT TEXT. END SUMMARY.

1. DI BERNARDO (ITALY) SUPPORTED RETENTION IN ARTICLE I OF PHRASE "MILITARY OR ANY OTHER HOSTILE USE", AS OPPOSED TO "HOSTILE USE". HE ARGUED THAT PHRASE HELPED DEFINE MAIN OBJECTIVE OF THE CONVENTION, ADDING THAT IT SHOULD ALSO APPEAR IN PREAMBLE. ON OTHER HAND, DI BERNARDO SUPPORTED INCLUDING "THREAT OF USE" AS WELL AS "USE" WITHIN SCOPE OF ARTICLE I PROHIBITION. HE MAINTAINED THAT THIS WOULD ESTABLISH SOME RESTRAINT, (IF ONLY POLITICAL OR PSYCHOLOGICAL, AGAINST R&D "MANIFESTLY ORIENTED TOWARD NON-PEACEFUL PURPOSES", INSOFAR AS SUCH R & D MIGHT BE CONSIDERED MEANS OF INTIMIDATION.

2. ALSO REGARDING ARTICLE I, DI BERNARDO SUPPORTED "WIDESPREAD, LONG-LASTING OR SEVERE EFFECTS" AS SATISFACTORY "PRELIMINARY PRAGMATIC APPROACH" TO NEED FOR ACCEPTABLE CRITERIA DEFINING SCOPE OF PROHIBITION. HE ADDED THAT FURTHER INTERPRETATION OF "WIDESPREAD, LONG-LASTING OR SEVERE" COULD BE PROVIDED BY AUTHORS OF DRAFT, "POSSIBLY OUTSIDE THE TEXT OF THE CONVENTION".

3. DI BERNARDO CONSIDERED ARTICLE II, WITH LIST OF ILLUSTRATIVE EXAMPLES OF ENMOD TECHNIQUES, AS SATISFACTORY COMPROMISE BETWEEN EXHAUSTIVE STATEMENT OF ACTIVITIES TO BE PROHIBITED AND IMPOSING GENERAL BUT UNSPECIFIC BAN. HE ALSO SUGGESTED THAT PHRASE "INFLUENCING OR AFFECTING" BE ADDED TO WORDS "REFERS TO ANY TECHNIQUES FOR CHANGING.".

4. ON ARTICLE III (QUESTION OF TREATY'S EFFECT ON PEACEFUL USES), DI BERNARDO FAVORED CHANGING "PROVISIONS...SHALL NOT HINDER" TO "DO NOT APPLY TO". HE ALSO ADVOCATED EXPANDING CONSULTATION PROVISIONS OF ARTICLE V TO REFER SPECIFICALLY TO PROBLEMS WHICH MIGHT ARISE IN CONNECTIN WITH INTERPRETATION F ARTICLE III.

5. DIBERNARDO THOUGHT ARTICLE IV ON DOMESTIC IMPLEMENTATION OF TREATY PERHAPS "TOO RIGID", HE SUGGESTED ESTABLISHING OBLIGATION FOR EACH STATE (PARTY) SIMPLY TO "PROHIBIT AND PREVENT ANY ACTIVITY IN VIOLATION OF THE PROVISIONS OF THE CONVENTION".

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6. ON ARTICLE V (COMPLAINTS PROCEDURE) DIBERNARDO SUPPORTED SWEDISH AND FRG PROPOSALS "TO PREVENT ANY DECISIONS TAKEN BY THE SECURITY COUNCIL CONCERNING POSSIBLE DISPUTES FROM BEING VETOED BY A PERMANENT MEMBER OF THE COUNCIL".

7. LALOVIC (YUGOSLAVIA) WELCOMED CLARIFICATIONS BY US OF TERMS "DESTRUCTION, DAMAGE, OR INJURY" AND "WIDESPREAD,

LONG-LASTING OR SEVERE", SAYING THAT THE EXPLANATIONS GIVEN SHOULD BE INCLUDED IN THE DRAFT CONVENTION. AT SAME TIME, HOWEVER, HE SAID BAN RESTRICTED TO TECHNIQUES HAVING WIDESPREAD, LONG-LASTING, OR SEVERE EFFECTS "CANNOT BE SATISFACTORY". LALOVIC SAID CONVENTION SHOULD BAN USE OF ALL ENMOD TECHNIQUES FOR MILITARY OR OTHER HOSTILE PURPOSES WHICH CAN CAUSE ANY KIND OF DAMAGE TO ANY STATE, WHETHER PARTY OR NOT.

8. LALOVIC AGREED THAT CONVENTION COULD NOT DEAL WITH ALL ASPECTS OF PEACEFUL APPLICATIONS, CONCLUDING THAT A "SEPARATE CONVENTION IS ABSOLUTELY NECESSARY" AND SAYING A CCD RECOMMENDATION FOR SUCH A CONVENTION COULD BE USEFUL.

9. ON QUESTION OF BANNING THREAT OF HOSTILE USE OF ENMOD, LALOVIC SAID HE UNDERSTOOD THAT THREAT OF USE WAS IMPLICITLY CONTAINED IN DRAFT'S PROHIBITION OF USE.

10. ON ARTICLE II, LALOVIC NOTED THAT SOME DIFFICULTIES AROSE FROM DRAFT'S LIMITED SCOPE, AND SAID THAT IN A COMPREHENSIVE BAN NO LIST OF EXAMPLES WOULD BE NEEDED TO SUPPLEMENT BASIC DEFINITION OF ENMOD TECHNIQUES AS SET OUT IN FIRST PART OF ARTICLE.

11. LALOVIC SAID IT WOULD BE NECESSARY TO REVISE OR REPLACE ARTICLE III TO SET OUT PROVISIONS FOR INTERNATIONAL COOPERATION IN PEACEFUL APPLICATIONS. HE SUGGESTED INCLUSION OF SUCH PRINCIPLES AS BROADEST COOPERATION IN SCIENTIFIC RESEARCH, PUBLICATION OF PLANNING AND RESEARCH PROGRAMS AND RESULTS, AND PRIOR ANNOUNCEMENT AND INTERNATIONAL OBSERVATION OF EXPERIMENTS.

12. LALOVIC SAID SHORTCOMINGS OF COMPLAINTS PROCEDURES IN LIMITED OFFICIAL USE

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ARTICLE V WERE WELL KNOWN AND THAT YUGOSLAVIA WOULD STUDY PROPOSED AMENDMENTS AND RETURN TO QUESTION AT LATER STAGE. HE ALSO EXPRESSED SUPPORT FOR REVIEW CONFERENCE PROVISION.

13. KHAIRAT (EGYPT) SUPPORTED ARGENTINA AND IRANIAN PROPOSALS FOR AMENDMENT OF PREAMBLE, INCLUDING REFERENCE TO GENERAL AND COMPLETE DISARMAMENT.

14. ON ARTICLE I, KHAIRAT ENDORSED PROPOSAL TO REFER ONLY TO "HOSTILE USE" OF ENMOD, RATHER THAN "MILITARY OR ANY OTHER HOSTILE USE", TO INCLUDE A PROHIBITION OF THREAT OF SUCH USE, AND TO MAKE UNDERTAKINGS APPLICABLE TOWARD ALL STATES, NOT JUST OTHER PARTIES.

15. WITH RESPECT TO ARTICLE II, KHAIRAT SAID IT WOULD BE DESIRABLE TO INCLUDE AN ILLUSTRATIVE LIST OF THE TECHNIQUES TO BE BANNED IN AN ANNEX TO THE CONVENTION.

16. KHAIRAT SUPPORTED ARGENTINA PROPOSAL FOR INCLUSION OF A PROVISION FOR COOPERATION IN DEVELOPMENT OF PEACEFUL APPLICATIONS SIMILAR TO ARTICLE X OF BIOLOGICAL WEAPONS CONVENTION.

17. ON ARTICLE V, KHAIRAT ENDORSED PARAS 1 (CONSULTATIONS) AND 4(ASSISTANCE). WHILE RECOGNIZING COMPETENCE OF INTERNATIONAL SECURITY, HE CONSIDERED ESTABLISHMENT OF INTERMEDIATE PROCEDURES SUCH AS THOSE SUGGESTED BY FRG, NETHERLANDS, AND SWEDEN USEFUL.

18. KHAIRAT ALSO ENDORSED IDEA OF PROVISION FOR REVIEW CONFERENCES AND EXPRESSED HOPE NEGOTIATIONS WOULD BE CONCLUDED DURING 1976 SESSION.

19. NEXT PLENARY TUESDAY, APRIL 13. DALE

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